



COUNTY OF LOS ANGELES COMMUNITY AND SENIOR SERVICES REQUEST FOR PROPOSALS (RFP)

**LOS ANGELES COUNTY DISPUTE RESOLUTION
PROGRAM (LACDRP)**

RFP No.: DRP-1419

NOVEMBER 20, 2013

PREPARED BY:
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COMMUNITY AND SENIOR SERVICES
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1.0 INTRODUCTION

1.1 Purpose

The County of Los Angeles Community and Senior Services (“CSS” or “County”) is issuing this Request for Proposals (“RFP”) to solicit proposals from local public/government entities and non-profit organizations to provide Dispute Resolution Services (“Services”) under the Los Angeles County Dispute Resolution Program (LACDRP or Program) with State funds collected from court filing fees pursuant to the California Dispute Resolution Programs Act of 1986 (“the Act” or “DRPA”) and in accordance with all applicable federal, state, and local laws, regulations and guidance. LACDRP provides services designed to be less costly, less time consuming, less complex, and less intimidating than the court system and more accessible to the diverse residents, businesses, and organizations that populate Los Angeles County.

- 1.1.1 **Mission:** A primary mission of the Program is to assist people who live, work, or operate in Los Angeles County to resolve disputes using means alternative to formal judicial proceedings with the help of one (1) or more trained neutral persons. The Program is essential in providing dispute resolution services that are less costly, less time consuming, and less complex than the traditional judge or jury system. It is also crucial in affording the diverse residents of Los Angeles County a process that is less formal, less intimidating, and more accessible than the traditional court system. A key difference from the traditional court system is that the Disputants, rather than a judge or jury, are the primary decision makers in the outcome of their disputes.

A secondary mission of the Program is to promote the ongoing betterment of human relations throughout Los Angeles County by cultivating and increasing the number of individuals who are skilled in resolving the interpersonal and intergroup disputes that are common in our relationships, workplaces, and communities. Individuals possessing such skills may quickly respond to a dispute at the onset and thus, greatly avert its escalation to a formal judicial action and/or an intervention by law enforcement. The intent is that the collective efforts of these neutrals will transform relationships that reflect the rich diversity of cultures, institutions, and communities that characterize Los Angeles County. This shall enable Disputants to address their differences in ways that refrain from hostility or violence, thereby benefiting all those directly involved in the resolved disputes and other relationships these individuals touch.

- 1.1.2 **Dispute Resolution Service Categories:** The LACDRP program provides the following three (3) Service Category Options:

1.1.2.1 Community – Community disputes are those for which no court

action has been initiated or for which resolution services are not required on the day of hearing. These may include, but are not limited to, disputes between consumers and merchants, tenants and landlords, businesses, coworkers, neighbors, students, and family members.

1.1.2.2 Day of Hearing Civil Court – Day of Hearing Civil Court disputes are those for which civil court action has been initiated and resolution services are provided on the scheduled day of court hearing. These include disputes filed as small claims, civil harassment, unlawful detainer, or non-collections limited jurisdiction cases.

1.1.2.3 Victim-Offender – Victim-Offender disputes involve matters between Victim(s) and Offender(s) of criminal actions. These are cases that may or may not have been filed for prosecution, but in which the Offender(s) has acknowledged committing the harm-causing action(s). Explicit agreement of the appropriate law enforcement jurisdiction or prosecuting authority is required in order to proceed with resolution services for any Victim-Offender dispute

1.1.3 **Client Eligibility:** Any individual, business, or organization involved in a dispute where at least one (1) Disputant in the dispute resides, conducts business in, or operates in Los Angeles County is eligible for Services. Contractor shall provide Services to any such individual, business, or organization unless circumstances dictate one of the exceptions detailed elsewhere in this RFP or any resulting agreement.

1.1.4 **Authority:** Proposer's Proposal and any resulting agreement shall be required to meet all of the applicable provisions and criteria set forth in the California Dispute Resolution Program Act of 1986 ("the Act" or "DRPA")- the statutory program and funding authority for the program and its regulations ("the Regulations").

1.1.5 **Funding Availability:** The estimated maximum funding for the entire LACDRP program during Fiscal Years (FY) 2014-19 will be \$9,500,000 with an initial contract term of one (1) year with four (4) optional one (1) year renewals.

Proposer shall provide Services under one (1) or more of the three (3) LACDRP Service Categories listed in Section 1.1.2, Dispute Resolution Service Categories, of this RFP.

Proposer shall be aware that funding for this program is contingent upon the availability of federal, state and local funds and contracts may be recommended for additional or reduced funding than the amounts proposed. Should the Proposer be recommended for funding, the proposal shall result in a contract, whereby County may have the option to negotiate future

modifications to ensure that all necessary program requirements are met. Upon modification by County of the precise award levels, Proposer may decline a contract with County if the proposer believes that the objectives of its proposed program cannot be achieved at an increased or reduced amount.

1.1.6 Program Goals and Funding Requested by Proposer: Proposers may propose to provide **one (1), two (2) or all three (3) Service Categories** through separate proposals. Successful Proposers will be required to deliver each of the service requirements described in Appendix A (Sample Contract), as well as in Appendix B (Statement of Work), for each of the Service Categories they submit proposals for should they be selected. Services that do not meet the standards listed will not be funded. If Proposer is awarded a contract, County will utilize the proposed cost provided in the Proposal to establish the contract fixed rate upon which all payment will be based.

1.1.6.1 Payments to successful bidders after contract award shall be based on a cost reimbursement method, not-to-exceed contract sum to be determined upon contractor selection. County shall compensate successful bidders after contract award for the Services set forth in Appendix B, Statement of Work.

1.1.7 Funding Allocation Plan: The available funding will be allocated to eight (8) Service Planning Areas (SPA) for Community Services; 14 Hubs for Day of Hearing Civil Court Services and five (5) Supervisorial Districts (SD) for Victim-Offender Services, based on a funding formula adopted and approved by the Los Angeles County Board of Supervisors (Board of Supervisors). Proposer may apply for as many SPAs, Hubs, and/or SDs it plans to serve.

The following are estimated allocations for FY 2014-2019. Based on the 2010 Census, there are an estimated 9,818,605 residents in Los Angeles County. Chart 1.1.8, LACDRP Estimated Annual Funding, allocates the total proposed LACDRP funding available in each SPA, Hub, and SD. The funding amounts are estimates only.

Funding for each Service Category are estimated to be distributed as follows:

- 50% of funding for Community
- 30% of funding for Day of Hearing Civil Court
- 20% of funding for Victim-Offender.

County reserves the right, at its sole discretion, to adjust the funding among the eight (8) SPAs, 14 Hubs, and five (5) SD's based on County's needs and availability of funding.

1.1.8 LACDRP Estimated Annual Funding

Community Service Category by SPA (Maximum Unite Rate \$740)

SPA 1	\$ 33,805
SPA 2	\$ 200,724
SPA 3	\$ 171,134
SPA 4	\$ 114,001
SPA 5	\$ 59,794
SPA 6	\$ 96,880
SPA 7	\$ 124,804
SPA 8	\$ 146,858
TOTAL	\$ 948,000

Day of Hearing Civil Court Service Category by Hub (Maximum Unit Rate \$275)

Hub 1	\$ 170,100
Hub 2	\$ 51,600
Hub 3	\$ 51,600
Hub 4	\$ 51,600
Hub 5	\$ 65,770
Hub 6	\$ 14,175
Hub 7	\$ 20,410
Hub 8	\$ 14,175
Hub 9	\$ 20,410
Hub 10	\$ 14,175
Hub 11	\$ 14,175
Hub 12	\$ 20,410
Hub 13	\$ 14,175
Hub 14	\$ 44,225
TOTAL	\$ 567,000

Victim-Offender Service Category by SD (Maximum Unit Rate \$740)

SD 1	\$ 77,000
SD 2	\$ 77,000
SD 3	\$ 77,000
SD 4	\$ 77,000
SD 5	\$ 77,000
TOTAL	\$ 385,000
Grand Total Per Fiscal Year	\$ 1,900,000

1.2 Overview of Solicitation Document

This RFP is composed of the following parts:

- **INTRODUCTION:** Specifies Proposer's minimum requirements, provides information regarding the requirements of the Contract and the solicitation process.
- **PROPOSAL SUBMISSION REQUIREMENTS:** Includes instructions to Proposers in how to prepare and submit their proposal.
- **SELECTION PROCESS AND EVALUATION CRITERIA:** Includes information on how the proposals will be selected and evaluated.
- **APPENDICES:**
 - **A - SAMPLE CONTRACT:** Identifies the terms and conditions in the Contract.
 - **B - STATEMENT OF WORK:** Explains in detail the required services to be performed by the Contract.
 - **C - STATEMENT OF WORK EXHIBITS:** Exhibits to the Statement of Work.
 - **D - REQUIRED FORMS:** Forms that must be completed and included in the proposal.
 - **E - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department requesting a Solicitation Requirements Review.
 - **F - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County policy.
 - **G - JURY SERVICE ORDINANCE:** County Code.
 - **H - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with County for a specific length of time.
 - **I - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
 - **J - SAFELY SURRENDERED BABY LAW:** County program.
 - **K - DETERMINATION OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT:** County Code.
 - **L - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.
 - **M - DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County Code.

1.3 Terms and Definitions

Throughout this RFP, references are made to certain persons, groups, or Departments/Agencies. For convenience, a description of specific definitions applicable to this RFP and an attached Sample Contract can be found in Appendix A (Sample Contract), Exhibit J – Definitions.

1.4 Minimum Mandatory Requirements

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in Appendix B (Statement of Work), of this RFP are invited to submit proposal(s), and must meet the following requirements:

- 1.4.1 Proposer must have a minimum of two (2) years of experience within the past four (4) years, providing Alternative Dispute Resolution (ADR) services to Clients within Los Angeles County or have provided services equivalent to or substantially similar to the services in Appendix B (Statement of Work);
- 1.4.2 Proposer must be able to provide LACDRP services beginning July 1, 2014;
- 1.4.3 Proposer must provide LACDRP services to residents of Los Angeles County including the unincorporated areas of Los Angeles County;
- 1.4.4 Proposer shall have, or will have by Contract award, an office location in Los Angeles County;
- 1.4.5 Proposer shall have, or will have by Contract award, all the staffing requirements specified in Appendix B (Statement of Work);
- 1.4.6 Proposer shall demonstrate the ability to match a minimum 25% of its grant amount for the term of the Contract;
- 1.4.7 Proposer must currently have a cash reserve equal to the amount it would cost to operate Program Services for one month. Grant costs may not be included in cash reserves.

1.5 County Rights & Responsibilities

County has the right to amend this RFP by written addendum. County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available on the website listed below. It is recommended that all Proposers check the website periodically for information pertaining to this solicitation and for any posted addenda:

<http://css.lacounty.gov/>
“Doing Business with CSS”

Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal not being

considered, as determined in the sole discretion of County. County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

1.6 Contract Term

The Contract term shall be for an initial one (1) year period with four (4) optional one (1) year renewals. Any offers for renewal(s) shall be at County's sole discretion. The Contract shall commence on July 1, 2014, following Board of Supervisors' award, and shall end on June 30, 2015 unless extended or terminated by County prior to then.

1.7 Days of Operation

The successful Proposer shall be required to provide LACDRP services a minimum of five (5) days per week. Contractor is not required to provide services on County-recognized holidays. County's Contract Manager will provide a list of the County holidays to Contractor at the time the Contract is approved, and annually, at the beginning of the calendar year.

1.8 Contact with County Personnel

All contact regarding this RFP or any matter relating thereto must be in writing and may be mailed or e-mailed as follows:

RFP No.: DRP-1419
Carol Domingo, Contract Manager
County of Los Angeles
Community and Senior Services
Contracts Management Division
3175 West 6th Street, Room 403
Los Angeles, CA 90020-1708
DRPRFP@css.lacounty.gov

If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

1.9 Final Contract Award by the Board of Supervisors

Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board of Supervisors is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

1.10 Mandatory Requirement to Register on County's WebVen

Prior to a contract award, all potential Contractors must register in the County's WebVen. The WebVen contains the Vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at http://lacounty.info/doing_business/main_db.htm.

1.11 County Option to Reject Proposals

County may, at its sole discretion, reject any or all proposals submitted in response to this RFP. County shall not be liable for any costs incurred by Proposer in connection with the preparation and submission of any proposal. County reserves the right to waive inconsequential disparities in a submitted proposal.

1.12 Protest Policy Review Process

1.12.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Sub-section 1.12.3 below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sub-sections below. It is the responsibility of Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed contract award.

1.12.2 Throughout the review process, County has no obligation to delay or otherwise postpone an award of contract based on a Proposer protest. In all cases, County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

1.12.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 are limited to the following:

- Review of Solicitation Requirements (Reference Sub-section 2.4 in the Proposal Submission Requirements Section);
- Review of Disqualification (Reference Sub-section 3.3 in the Selection Process and Evaluation Criteria Section); and,
- Review of Department's Proposed Contractor Selection Review (Reference Sub-section 3.7 in the Selection Process and Evaluation Criteria Section).

1.13 Notice to Proposers Regarding The Public Records Act

- 1.13.1 Responses to this solicitation shall become the exclusive property of County. Absent extraordinary circumstances, the recommended proposer's proposal will become a matter of public record when (1) contract negotiations are complete; (2) (County) receives a letter from the recommended Proposer's authorized officer that the negotiated contract is the firm offer of the recommended Proposer; and (3) (County) releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055.

Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when County's proposer recommendation appears on the Board of Supervisor's agenda.

Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the Proposer as "Trade Secret," "Confidential," or "Proprietary."

- 1.13.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

1.14 Indemnification and Insurance

The successful Proposer shall be required to comply with the indemnification provisions contained in Appendix A (Sample Contract), Sub-paragraph 8.23. The successful Proposer shall procure, maintain, and provide to County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Appendix A (Sample Contract), Sub-paragraphs 8.24 and 8.25.

1.15 SPARTA Program

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Merriwether & Williams. For additional information, Proposers may call Merriwether & Williams toll free at (800) 420-0555 or can access their website directly at www.2sparta.com.

1.16 Injury & Illness Prevention Program (IIPP)

Proposer shall be required to comply with the State of California's Cal OSHA's

regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

1.17 Background and Security Investigations

Background and security investigations of Contractor's staff may be required at the discretion of County as a condition of beginning and continuing work under any resulting Contract. The cost of background checks is the responsibility of the successful Proposer.

1.18 Confidentiality and Independent Contractor Status

As appropriate, Proposer shall be required to comply with the Confidentiality provision contained in Sub-paragraph 7.5 and the Independent Contractor Status provision contained in Sub-paragraph 8.22 in Appendix A (Sample Contract).

1.19 Conflict of Interest

No County employee whose position in County enables him/her to influence the selection of a Proposer for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Appendix D (Required Forms), Exhibit 5 (Certification of No Conflict of Interest).

1.20 Determination of Proposer Responsibility

1.20.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.

1.20.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether Proposer is responsible based on a review of Proposer's performance on any contracts, including but not limited to County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which Proposer had no knowledge shall not be the basis of a determination that Proposer is not responsible.

1.20.3 County may declare a Proposer to be non-responsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that Proposer has

done any of the following: (1) violated a term of a contract with County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a contract with County, any other public entity, or a nonprofit corporation created by County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against County or any other public entity.

- 1.20.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, County shall notify Proposer in writing of the evidence relating to Proposer's responsibility, and its intention to recommend to the Board of Supervisors that Proposer be found not responsible. County shall provide Proposer and/or Proposer's representative with an opportunity to present evidence as to why Proposer should be found to be responsible and to rebut evidence which is the basis for County's recommendation.
- 1.20.5 If Proposer presents evidence in rebuttal to County, County shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of Proposer shall reside with the Board of Supervisors.
- 1.20.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21 Proposer Debarment

- 1.21.1 Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 1.21.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise Proposer of the scheduled date for a debarment hearing before the Contractor Hearing

Board.

- 1.21.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether Proposer should be debarred, and, if so, the appropriate length of time of the debarment. Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.21.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.21.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.
- 1.21.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 1.21.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the

proposed decision and recommendation of the Contractor Hearing Board.

1.21.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.21.9 Appendix H provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

1.22 Proposer's Adherence to County's Child Support Compliance Program

Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

1.23 Gratuities

1.23.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that Proposer's provision of the consideration may secure more favorable treatment for Proposer in the award of the Contract or that Proposer's failure to provide such consideration may negatively affect the County's consideration of Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Contract.

1.23.2 Proposer Notification to County

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in Proposer's submission being eliminated from consideration.

1.23.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

1.24 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is **not** on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification, as set forth in Appendix D (Required Forms) Exhibit 6, as part of their proposal.

1.25 Federal Earned Income Credit

The successful Proposer shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015. Reference Appendix I.

1.26 Consideration of GAIN/GROW Participants for Employment

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence ("GAIN") or General Relief Opportunity for Work ("GROW") Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Appendix D (Required Forms) Exhibit 9, along with their proposal.

1.27 County's Quality Assurance Plan

After contract award, County or its agent will evaluate the Contractor's performance under the resulting contract on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the Contract and performance standards

identified in the Statement of Work. Contractor's deficiencies which County determines are severe or continuing and that may jeopardize performance of the Contract will be reported to the Board of Supervisors. The report will include improvement/corrective action measures taken by County and Contractor. If improvement does not occur consistent with the corrective action measures, County may terminate the resulting contract in whole or in part, or impose other penalties as specified in the Contract.

1.28 Recycled Bond Paper

Proposer shall be required to comply with County's policy on recycled bond paper as specified in Appendix A (Sample Contract) Sub-paragraph 8.39.

1.29 Safely Surrendered Baby Law

The successful Proposer shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Appendix J of this solicitation document and is also available on the Internet at www.babysafela.org for printing purposes.

1.30 County Policy on Doing Business with Small Business

- 1.30.1 The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.
- 1.30.2 The Local Small Business Enterprise Preference Program requires the Company to complete a certification process. This program and how to obtain certification are further explained in Sub-section 1.32 of this RFP.
- 1.30.3 The Jury Service Program provides exceptions to the Program if a company qualifies as a Small Business. Further explanation of the Program is provided in Sub-section 1.31 (Jury Service Program) of this RFP.
- 1.30.4 The County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

1.31 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the Jury Service Ordinance (Appendix G), and the pertinent jury service provisions of the Sample Contract (Appendix A), Sub-paragraph 8.8, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both

Contractors and their Subcontractors. Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

- 1.31.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of ninety (90) days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.
- 1.31.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a contract with the County or a Subcontract with a County Contractor and has received or will receive an aggregate sum of fifty-thousand dollars (\$50,000) or more in any twelve (12) month period under one or more County contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten (10) or fewer employees; and, 2) annual gross revenues in the preceding twelve (12) months which, if added to the annual amount of this Contract is less than five hundred thousand dollars (\$500,000), and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.
- 1.31.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the Certification Form and Application for Exception (Exhibit 10 in Appendix D - Required Forms), and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the

Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

1.32 Local Small Business Enterprise Preference Program

- 1.32.1 The County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. A Local SBE is defined as: 1) A business certified by the State of California as a small business and 2) has had its principal office located in Los Angeles County for at least one year. The business must be certified by Internal Services Department as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.
- 1.32.2 To apply for certification as a Local SBE, businesses may register with Internal Services Department at <http://laosb.org>
- 1.32.3 Certified Local SBEs must request the SBE Preference in their solicitation responses and may not request the preference unless the certification process has been completed and certification affirmed. Businesses must attach the Local SBE Certification Letter to the Required Form - Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form - Exhibit 7 in Appendix D - Required Forms with their proposal. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.

1.33 Local Small Business Enterprise (SBE) Prompt Payment Program

It is the intent of the County that Certified Local SBEs receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

1.34 Notification to County of Pending Acquisitions/Mergers by Proposing Company

Proposer shall notify County of any pending acquisitions/mergers of their company. This information shall be provided by Proposer on Proposer's Organization Questionnaire/Affidavit (Exhibit 1 in Appendix D – Required Forms). Failure of Proposer to provide this information may eliminate its proposal from any further consideration.

1.35 Transitional Job Opportunities Preference Program

- 1.35.1 In evaluating proposals, County will give preference to businesses that are certified by the County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: 1) that is a non-profit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Service Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three (3) most recent annual tax returns to the Department with their proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one (1) year providing transitional job and the related supportive services to program participants; and 3) provide a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting Department.
- 1.35.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable Department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly and with intent to defraud seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.
- 1.35.3 To request the Transitional Job Opportunities Preference, Proposer must complete the Transitional Job Opportunities Preference Application (Exhibit 13 in Appendix D - Required Forms) and submit it along with all supporting documentation with their proposal.

1.36 Intentionally Omitted

1.37 Intentionally Omitted

1.38 Proposer's Charitable Contributions Compliance

- 1.38.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Contractors should carefully read the Background and Resources: California Charities Regulations (Appendix L). New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over two million (\$2,000,000) of revenues (excluding funds that must be

accounted for to a governmental entity) have new audit requirements.

1.38.2 All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification (Exhibit 12 in Appendix D - Required Forms). A completed Exhibit 12 is a required part of any agreement with the County.

1.38.3 In Exhibit 12, prospective contractors certify either that:

- They have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement,

– OR –

- They are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

1.38.4 Prospective contractors that do not complete Exhibit 12 as part of the solicitation process may, in County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both. (County Code Chapter 2.202)

1.39 Defaulted Property Tax Reduction Program

The prospective contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read Appendix M (Defaulted Property Tax Reduction Program Ordinance) and the pertinent provisions of the Appendix A (Sample Contract) Sub-paragraph 8.51, both of which are incorporated by reference into and made a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with The County's Defaulted Property Tax Reduction Program (Exhibit 14 in Appendix D - Required Forms). Failure to maintain compliance, or to timely cure defects, may be cause for termination of a contract or initiation of debarment proceedings against the non-compliance contractor (Los Angeles County Code, Chapter 2.202).

Proposals that fail to comply with the certification requirements of the Defaulted Tax

Program will be considered non-responsive and excluded from further consideration.

2.0 PROPOSAL SUBMISSION REQUIREMENTS

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their proposal.

2.1 County Responsibility

County is not responsible for representations made by any of its officers or employees prior to the execution of a contract unless such understanding or representation is included in the contract.

2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at County Director's sole judgment and his/her judgment shall be final.

2.3 RFP Timetable

The timetable for this RFP is as follows:

- Release of RFP Wednesday, November 20, 2013
- Request for a Solicitation Requirements Review Due ... Tuesday, December 3, 2013
- Written Questions Due by 5:00 P.M. (PDT) Tuesday, December 3, 2013
- Proposer's Conference at 3:00 P.M. (PDT) Tuesday, December 3, 2013
- Questions and Answers Released Tuesday, December 10, 2013
- **Proposals due by 11:00 A.M. (PDT) Tuesday, January 7, 2014**
- Evaluation Period Tuesday, January 7, 2014 – Tuesday, January 28, 2014
- Tentative Date of Contract Award (Mailed) Monday, June 2, 2014
- Contract and Services Begin Tuesday, July 1, 2014

2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E (Transmittal Form to Request a Solicitation Requirements Review) to County. A request for a Solicitation Requirements Review may be denied, in County's sole discretion, if the request does not satisfy all of the following criteria:

1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;

3. The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and,
4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - b. due to unclear instructions, the process may result in County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and County's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

2.5 Proposers' Questions

Proposers may submit written questions regarding this RFP by e-mail to the individual identified below. All questions must be received by **5:00 PM Pacific Daylight Time, Tuesday, December 3, 2013.** All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to this RFP.

When submitting questions please specify the RFP section number, paragraph number, and page number and quote the language that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.

Questions may address concerns that the application of minimum mandatory requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in County not receiving the best possible responses from Proposer.

Questions should be addressed to:

RFP No.: DRP-1419
Carol Domingo, Contract Manager
County of Los Angeles
Community and Senior Services
Contracts Management Division
3175 West 6th Street, Room 403
Los Angeles, CA 90020-1708
DRPRFP@css.lacounty.gov

2.6 Intentionally Omitted

2.7 Proposers' Conference

A Proposers' Conference will be held to discuss the RFP Requirements. County will respond to questions from potential Proposers. The conference is scheduled as follows:

Tuesday, December 3, 2013
3:00 PM – 5:00 PM
3175 West 6th Street, Room 105
Los Angeles, CA 90020-1708

Parking: For your convenience, parking in County's parking structure located at 523 Shatto Place will be made available by reservation. Please send an email to CSS at: DRPRFP@css.lacounty.gov by Monday, November 25, 2013. Please insert "Parking for Proposers' Conference" in the subject line of the email. Meter Parking is also available on Shatto Place, Vermont Avenue, and Sixth Street (Southwest Corner of 6th and Vermont).

2.8 Preparation of the Proposal

A complete LACDRP Proposal shall include a Business Proposal and Cost Proposal. A Business Proposal includes both required forms and narrative detailing Proposer's qualifications and program proposal. A Cost Proposal includes a detailed budget and a budget narrative. The Business and Cost Proposals shall be bound together in one (1) three (3) ring binder and submitted in the prescribed format. An original Business and Cost Proposal and four (4) copies, a total of five (5) binders, shall be submitted as specified in Section 2.11 (Proposal Submission of this RFP).

Proposer shall submit a LACDRP Proposal for each LACDRP Program Service Category Proposer plans to provide. For example, a Proposer proposing to provide both Community and Day of Hearing Civil Court Services must submit two (2) separate LACDRP Proposals, one (1) LACDRP Proposal for Community Services and one (1) LACDRP Proposal for Day of Hearing Services. If Proposer is only providing one (1) LACDRP Service Category, Proposer only needs to submit one (1) LACDRP Proposal.

Any Proposal that deviates from this format may be rejected without review at County's sole discretion.

2.8.1 Proposals must be typed (on 8 ½" by 11" paper), Single spaced between each line, with margins set at 1.0 inch or greater, and a standard twelve (12) point Arial font.

2.8.2 For every response provided by Proposer in both the Business and Cost Proposal, Proposer shall clearly indicate the RFP Section Heading, Section Letter and/or Number (if applicable)(i.e., Proposal's Approach to Provide Required Services, Section C.1). Proposer shall double space in between Proposal response sections.

- 2.8.3 Each section of the Business and Cost Proposals shall be tabbed and clearly identified in the table of contents and shall follow the order specified in Sections 2.9 and 2.10 of this RFP. All attachments must be attached immediately after the section to which Proposer is responding.
- 2.8.4 For the Business Proposal, the limit for all answers combined is a total of twenty (20) single-sided pages. The page limitation does not include exhibits or attachments.
- 2.8.5 For the Cost Proposal, the limit for all answers combined is a total of ten (10) single-sided pages. The page limitation does not include exhibits or attachments.

2.9 Business Proposal Format

The content and sequence of the proposal must be as follows:

- Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies (Appendix D – Exhibit 1)
- Table of Contents
- Executive Summary (Section A)
- Proposer's Qualifications (Section B)
 - Prospective Contractor References (Appendix D - Exhibit 2)
 - Prospective Contractor List of Contracts (Appendix D - Exhibit 3)
 - Prospective Contractor List of Terminated Contracts (Appendix D - Exhibit 4)
 - Proposer's Pending Litigation and Judgments
- Proposer's Approach to Provide Required Services (Section C)
- Proposer's Quality Control Plan (Section D)
- Proposer's Green Initiatives (Section E)
- Business Proposal Required Forms (Section F)
 - Certification of No Conflict of Interest (Appendix D – Exhibit 5)
 - Familiarity with the County Lobbyist Ordinance Cert (Appendix D – Exhibit 6)
 - LA County Community Business Enterprise Program Request for Local SBE Preference Program Consideration (Appendix D – Exhibit 7)
 - Proposer's EEO Certification (Appendix D – Exhibit 8)

- Attestation of Willingness to Consider GAIN/GROW Participants (Appendix D – Exhibit 9)
- Contractor Employee Jury Service Program Certification Form & Application for Exception (Appendix D – Exhibit 10)
- Certification of Independent Price Determination & Acknowledgement of RFP Restrictions (Appendix D – Exhibit 11)
- Charitable Contributions Certification (Appendix D – Exhibit 12)
- Transitional Job Opportunities Preference Application (Appendix D – Exhibit 13)
- Certification of Compliance with the County’s Defaulted Property Tax Reduction Program (Appendix D – Exhibit 14)
- Financial Capability (Section G)

2.9.1 **Proposer’s Organization Questionnaire/Affidavit and Required Support Documentation**

The Proposer shall complete, sign and date Proposer’s Organization Questionnaire/Affidavit (**Exhibit 1 in Appendix D – Required Forms**). **The person signing the form must be authorized to sign on behalf of Proposer and to bind the applicant in a Contract.**

Taking into account the structure of Proposer’s organization, Proposer shall determine which of the below referenced supporting documents County requires. If Proposer’s organization does not fit into one of these categories, upon receipt of the Proposal or at some later time, County may, in its discretion, request additional documentation regarding Proposer’s business organization and authority of individuals to sign Contracts.

If the below referenced documents are not available at the time of Proposal submission, Proposer must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

Required Support Documents:

Corporations or Limited Liability Company (LLC):

Proposer must submit the following documentation with the Proposal:

- 1) A copy of a “Certificate of Good Standing” with the state of incorporation/organization.

- 2) A conformed copy of the most recent “Statement of Information” as filed with the California Secretary of State listing corporate officers or members and managers.

Limited Partnership:

The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

2.9.2 Table of Contents

List all material included in the Proposal. Include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

2.9.3 Executive Summary (Section A)

Provide Proposer’s mission statement, give a brief history of the organization, indicate the number of years in operation and indicate Proposer’s experience in providing LACDRP services or services equivalent or substantially similar to the Services identified in Appendix B (Statement of Work), Section 3.0, Specific Tasks. Proposer shall also state the type of organization Proposer is, whether a non-profit or public/government entity.

2.9.4 Proposer’s Qualifications (Section B)

Demonstrate that Proposer’s organization has the experience and financial capability to perform the required services. The following sections must be included:

A. Proposer’s Background and Experience (Section B.1)

Provide a summary of relevant background information to demonstrate that the Proposer meets the minimum requirement(s) stated in Sub-section 1.4 of this RFP and has the capability to perform the required services as a corporation or other entity.

B. Proposer’s References (Section B.2)

It is Proposer’s sole responsibility to ensure that the firm’s name and point of contact’s name, title, phone number and email address for each reference is accurate. The same references may be listed on both Exhibits 2 and 3 as described herein.

County may disqualify a Proposer if:

- references fail to substantiate Proposer's description of the services provided; or
- references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or
- County is unable to reach the point of contact with reasonable effort. It is Proposer's responsibility to inform the point of contact of normal working hours.

Proposer must complete and include the following Required Forms:

1. **Prospective Contractor References, Appendix D, Exhibit 2**
Proposer must provide a minimum of five (5) references where the same or similar scope of services was provided within the last ten (10) years.
2. **Prospective Contractor List of Contracts, Appendix D, Exhibit 3**
The listing must include all Public Entities contracts for the last five (5) years. Use additional sheets if necessary.
3. **Prospective Contractor List of Terminated Contracts, Appendix D, Exhibit 4**
Listing must include contracts terminated within the past five (5) years with a reason for termination, which includes, but not limited to: expiration, non-compliance, loss of funding, and failure to complete a contract.

C. Proposer's Pending Litigation and Judgments (Section B.3)

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against Proposer or principals of Proposer. If the Proposer has/had no pending litigation in the last five (5) years, the Proposer must provide a statement to attest to this fact.

2.9.5 Proposer's Approach to Provide Required Services (Section C)

- 2.9.5.1 **Qualifications of Proposer's Mandatory Personnel:** Proposer shall have, or by Contract shall award meet, the mandatory staffing requirements listed in Appendix B (Statement of Work) Section 5.0 Contractor Personnel. Proposer shall describe the experience, training, and education of Proposer's mandatory staff based on the requirements stated in the SOW. Copies of all required certifications/licenses, resume and job specifications are to be identified by staff member and included in the Proposal. Proposer shall clearly identify any mandatory staff

position(s) necessary to provide services identified in this RFP that are currently unfilled in the proposal.

2.9.5.2 Proposer's Objectives: Proposer shall state the Service Planning Area(s) and city(ies), Hub(s), and/or Supervisorial District(s) Proposer plans to serve during the term of the Contract. Proposer shall describe the goals of the program and specify the activities to be conducted to accomplish those goals.

2.9.5.3 Proposer's Target Population: Describe Proposer's target population by: income level, ethnic composition, age and persons with disabilities. Describe how Proposer's Services will address the needs of special populations for: low-income, minority, older individuals and individuals with disabilities.

2.9.5.4 Proposed Dispute Resolution Services: Proposer must specifically identify the Dispute Resolution Service Category(ies) that the organization proposes to provide services under. Proposer may opt to select **one (1), two (2), or all three (3) Dispute Resolution Service Categories through separate proposals.**

2.9.5.4.1 Community Dispute Resolution Services: Provide a detailed description of the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

2.9.5.4.2 Day of Hearing Civil Court Dispute Resolution Services: Provide a detailed description of the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

2.9.5.4.3 Victim-Offender Dispute Resolution Services: Provide a detailed description of the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

2.9.6 Proposer's Quality Control Plan (Section D)

Present a comprehensive Quality Control Plan to be utilized by Proposer as a self-monitoring tool to ensure the required services are provided as specified in Appendix B (Statement of Work), and Appendix A (Sample Contract).

The following factors may be included in the plan:

- Activities to be monitored to ensure compliance with all Contract requirements;
- Monitoring methods to be used;
- Frequency of monitoring;
- Samples of forms to be used in monitoring;
- Title/level and qualifications of personnel performing monitoring functions; and,
- Documentation methods of all monitoring results, including any corrective action taken.

2.9.7 Proposer's Green Initiatives (Section E)

Present a description of proposed plan for complying with the green requirements as described in Section 21.0 of Appendix B, Statement of Work. Describe your company's current environmental policies and practices and those proposed to be implemented.

2.9.8 Terms and Conditions in Sample Contract, and Requirements of the Statement of Work (SOW)

It is the duty of every Proposer to thoroughly review the Sample Contract and Statement of Work to ensure compliance with all terms, conditions and requirements. It is County's expectation that in submitting a proposal Proposers will accept, as stated, County's terms and conditions in the Sample Contract and County's requirements in the Statement of Work. The submission of a Proposal shall constitute Proposer's acceptance of all terms and conditions in Appendix A (Sample Contract), and including the requirements in Appendix B (Statement of Work). County reserves the right to make changes to the Sample Contract and its appendices and exhibits at its sole discretion. Notice of any such changes to the Sample Contract and its appendices and exhibits shall be provided in the manner prescribed in Section 1.5 (County Rights & Responsibilities) of this RFP.

2.9.9 Business Proposal Required Forms (Section F)

Proposal shall include all completed, signed (if applicable), and dated forms identified in Appendix D (Required Forms).

- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information

- Exhibit 8 Proposer's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 Contractor Employee Jury Service Program – Certification Form and Application for Exception
- Exhibit 11 Certification of Independent Price Determination & Acknowledgement of RFP Restrictions
- Exhibit 12 Charitable Contribution Certification
- Exhibit 13 Transitional Job Opportunities Preference Application
- Exhibit 14 Defaulted Property Tax Reduction Program

2.9.9.1 Proposer shall also include the following documents within the Business Proposal (documents shall be current as of the date of Proposal submission):

- Proposer's Organizational Chart including Program staffing plan
- Proposer's Board of Directors' Roster
- Federal Tax-Exempt Status (if applicable)
- Business License
- By-Laws (provide copy)
- Articles of Incorporation (provide copy)
- Insurance: Proposer shall provide proof of its ability to procure and maintain insurance coverage at levels required in the Appendix A (Sample Contract) Paragraph 8.25 (Insurance Coverage). If a Proposer does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage, should the Proposer be awarded a Contract, may be submitted with the Proposal.

2.9.10 Financial Capability (Section G)

Provide copies of the company's most current and prior two (2) fiscal years (for example 2010 and 2011) financial statements. Statements should include the company's assets, liabilities and net worth and at a minimum should include the Balance Sheet, Statement of Income, and the Statement of Cash Flows. Depending on the nature of the entity (i.e., non-profit, governmental, etc.), the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, these should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

2.10 Cost Proposal Format (Section H)

The content and sequence of the proposal must be as follows:

- Cover Page identifying, at a minimum, this RFP and Proposer's name.
- Proposer shall provide a Budget (Appendix C - Exhibit 1) in the Cost Proposal
- Proposer shall provide a Proposed Program Services (PPS) (Appendix C - Exhibit 2) in the Cost Proposal.
- Proposer must utilize the PPS form (Appendix-C – Exhibit 2) to calculate the unit rate per resolved case for each service category Proposer plans to apply for.
- Budget Narrative as defined in Section 2.10.1, below

2.10.1 Budget Narrative: Proposer shall submit a Budget Narrative. The Budget Narrative shall include:

2.10.1.1 Detail each budgeted item listed in Appendix C (Budget) Exhibit 1. The Budget Narrative must follow the order listed in the Budget. Provide a formula for each line item budgeted including Contract Costs, Match and Program Income. Identify all paid personnel, including sub-contractors by name in the Budget Narrative. Illustrate how all costs were determined and how budgeted items are reasonable and program related.

2.11 Proposal Submission

The original Proposal and four (4) copies shall be enclosed in a sealed box, plainly marked in the upper left-hand corner with the name and address of Proposer and bear the words:

"PROPOSAL FOR LACDRP-1419"

The Proposal shall be delivered or mailed to:

RFP No.: DRP-1419
County of Los Angeles
Community and Senior Services
Carol Domingo, Contract Manager
Contracts Management Division (CMD)
RE: LACDRP RFP/RFP Submission
3175 West 6th Street, Room 403
Los Angeles, CA 90020-1708

It is the sole responsibility of the submitting Proposer to ensure that its Proposal is received before the submission deadline of Tuesday, January 7, 2014 at 11 AM. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any Proposals received after 11 AM on Tuesday, January 7, 2014 for receipt of Proposals, as listed in Sub-section

2.3 (RFP Timetable), will not be accepted and shall be returned to the sender unopened. Timely hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.

All proposals shall be firm offers and may not be withdrawn for a period of two hundred and seventy days (270) following the last day to submit proposals.

2.12 Reference Documents

Proposers are responsible for reviewing the legal and regulatory authority, and policy guidance that is applicable to this RFP. Certain documents will be available for review during CSS business hours prior to the due date of this RFP. Proposers must request an appointment to review these items. All appointment requests submitted to CSS must specify which document(s) is (are) referenced; and provide a contact name and phone number so that CSS can contact, arrange and confirm the appointment. The following is the list of documents that will be made available:

- Authorizing federal statutes and regulations (may also be found through the California Department of Consumer Affairs website <http://www.dca.ca.gov>)
- Policy Manuals and Memoranda
- Reporting Requirements and Procedures
- Program Monitoring Tool/Request for Proposals Rating Instrument

All appointments regarding this matter or any matter relating thereto, must be in writing and may be mailed or emailed as follows:

RFP No.: DRP-1419
County of Los Angeles
Community and Senior Services
Carol Domingo, Contract Manager
Contracts Management Division
RE: LACDRP RFP/Reference Documents
3175 West 6th Street, Room 403
Los Angeles, CA 90020-1708
DRPRFP@css.lacounty.gov
Telephone Number: (213) 639-6339

3.0 SELECTION PROCESS AND EVALUATION CRITERIA

3.1 Selection Process

County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the successful proposal(s). The selection process will begin with receipt of the proposal on **Tuesday, January 7, 2014 at 11 AM.**

Evaluation of the proposals will be made by an Evaluation Committee selected by County. The Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Contractor.

All proposals will be evaluated based on the criteria listed below. All proposals will be scored and ranked in numerical sequence from high to low. County may also, at its option, invite Proposers being evaluated to make a verbal presentation or conduct site visits, if appropriate. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.

Proposers who have previously contracted with County for the provision of any services that have outstanding audit or monitoring findings must resolve those findings to be eligible for a potential contract. Resolving findings means County accepted Proposer's corrective action plan and/or Proposer has reimbursed County for questioned costs. Failure to comply with this provision will be grounds for disqualification.

County also reserves the right to request additional information/documentation it may deem necessary regarding Proposer's submitted Business Proposal and/or Cost Proposal. Proposer shall promptly provide such information/documentation. The information/documentation shall be submitted in writing to the contact listed in Section 1.8 (Contact with County Personnel) and/or County may conduct a site visit to verify the information contained in the Proposal or adequacy of Proposer's facility(ies) and equipment.

After a prospective Contractor has been selected, County and the prospective Contractor(s) will negotiate a Contract for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Contract cannot be negotiated, County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a proposal, as determined by County.

The recommendation to award a Contract will not bind the Board of Supervisors to award a Contract to the prospective Contractor.

County retains the right to select a Proposal other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of the County.

3.2 Adherence to Minimum Requirements (Pass/Fail)

County shall review Proposer's Organization Questionnaire/Affidavit (Exhibit 1 in Appendix D - Required Forms), and determine if Proposer meets the minimum requirements as outlined in Sub-section 1.4 of this RFP.

Failure of Proposer to comply with the minimum requirements may eliminate its proposal from any further consideration. County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.

3.3 Disqualification Review

A Proposal may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If County determines that a proposal is disqualified due to non-responsiveness, County shall notify Proposer in writing.

Upon receipt of the written determination of non-responsiveness, Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Disqualification Review is a Proposer;
2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and,
3. The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

3.4 Proposal Evaluation and Criteria

Any reviews conducted during the evaluation of the proposal may result in a reduction in points. The maximum points available for the complete Proposal (consisting of Business and Cost Proposals) submitted is ten thousand (10,000) points, comprised of six thousand (6,000) points possible for the Business Proposal, plus four thousand (4,000) points possible for the Cost Proposal. A threshold score of seven thousand (7,000) points combined is required to be eligible for a contract. However, scoring seven thousand (7,000) points is not a guarantee that a Proposer will be awarded a contract. The evaluation will consist

of the following point allowances:

3.4.1 Business Proposal Evaluation (Maximum of 6,000 points)

- 3.4.1.1 Executive Summary (300 Points):** Proposer will be evaluated on Proposer's mission statement, number of years in operation, and experience in serving the target population(s), as well as its experience and capacity as a corporation or other entity to perform the required services based on the information provided in Section 2.9.3 of the RFP. Proposer must describe the type of organization.
- 3.4.1.2 Proposer's Background and Experience (300 Points):** Proposer will be evaluated on relevant background information that demonstrates that the Proposer meets the minimum requirement(s) stated in Sub-section 1.4 of this RFP and has the capability to perform the required services as a corporation or other entity
- 3.4.1.3 Proposer's References (400 Points):** Proposer will be evaluated on the verification of references as provided in Section 2.9.4.B of the RFP. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County contracts, and a review of any terminated contracts, which may result in point deductions.
- 3.4.1.4 Proposer's Pending Litigation and Judgment (400 Points):** A review will be conducted to determine the magnitude of any pending litigation or judgments in the past five (5) years against Proposer as provided in Section 2.9.4.B of the RFP.
- 3.4.1.5 Qualifications of Proposer's Mandatory Personnel (300 Points):** Proposer will be evaluated on whether Proposer currently has or will have by Contract award, the mandatory staffing required in Appendix B (Statement of Work) Section 5.0 (Contractor Personnel). Proposer will also be evaluated on the proposed staff experience, training, and education pursuant to Section 2.9.5.1 of the RFP.
- 3.4.1.6 Proposer's Objectives (Points 400):** Proposer will be evaluated on Proposer's: 1) description of the proposed area(s) it will serve (e.g. Service Planning Area(s) for Community, Hub(s) for Day of Hearing Civil Court and Supervisorial District(s) for Victim-Offender) and 2) how the Proposer describe the goals of the program and specify the activities to be conducted to accomplish those goals.
- 3.4.1.7 Target Population (400 Points):** Proposer will be evaluated on

its description of its target population. Services targeting low-income, ethnic minorities, older individuals, and individuals with disabilities.

3.4.1.8 Proposed Dispute Resolution Services (2,400 Points): Proposer will be evaluated on its thoroughness in describing its proposed Dispute Resolution Service Category(ies) that the organization proposes to provide services under. **Proposer may opt to select one (1), two (2), or all three (3) Dispute Resolution Service Categories.**

3.4.1.8.1 Community Dispute Resolution Services:

Proposer will be evaluated on its thoroughness in describing the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

3.4.1.8.2 Day of Hearing Civil Court Dispute Resolution Services: Proposer will be evaluated on its thoroughness in describing the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

3.4.1.8.3 Victim-Offender Dispute Resolution Services: Proposer will be evaluated on its thoroughness in describing the organization's operations, including but not limited to, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality. Proposer must describe in detail how it will achieve proposed goals and how it will meet the requirements specified in the SOW.

3.4.1.9 Quality Control Plan (300 Points): Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed in Appendix A (Sample Contract) and Appendix B (Statement of Work).

3.4.1.10 Green Initiatives (200 Points): Proposer will be evaluated on Proposer's plan for complying with the green requirements as

described in Section 2.9.7.

3.4.1.11 Business Proposal Required Forms (100 Points): Proposer will be evaluated on their ability to complete the forms as provided in Appendix D (Required Forms), within the Business Proposal.

3.4.1.12 Proposer's Financial Capability (500 Points): Proposer will be evaluated on Proposer's company's most current and prior two (2) fiscal years (for example 2010 and 2011) audited financial statements and any other significant findings which may impact the financial solvency of Proposer. Statements should include Proposer's assets, liabilities and net worth. Proposer's audited statements will also be used to evaluate Proposer's ability to meet the minimum mandatory requirements in Section 1.4 of this RFP.

3.5 Cost Proposal Evaluation Criteria (Maximum of 4,000 Points)

The Maximum number of possible points will be awarded to the most responsive and lowest cost Proposal(s) (which includes Appendix C - Exhibits 1 and 2 and the Budget Narrative). The Cost Proposal shall be rated based on the following:

- 3.5.1 **Cost Effectiveness (500 Points):** Proposer will be evaluated on the proposed cost (as specified in Appendix C - Exhibit 1) and Proposer's justification for the proposed cost.
- 3.5.2 **Unit Rate (500 Points):** Proposer will be evaluated on the proposed Unit Rate(s) (as specified in Appendix C – Exhibit 2).
- 3.5.3 **Budget Narrative (750 Points):** Proposer will be evaluated on completeness (include both a formula and justification for all budgeted costs).
- 3.5.4 **Costs are reasonable and Program related (2,000 Points):** Proposer's Costs will be evaluated on the reasonableness of budgeted costs and how budgeted costs will contribute to the overall Service plan of Proposer.
- 3.5.5 **Calculations are accurate (250 Points):** Proposer will be evaluated on the accuracy of its calculations in the Budget Narrative and the transfer of costs from the Budget to the Budget Narrative.

The maximum number of possible points will be awarded to the lowest cost proposal. However, should one or more of Proposers request and be granted the Local SBE Preference and/or Transitional Job Opportunities Preference, the cost component points will be determined as follows:

Local SBE Preference: 8% of the lowest cost proposed will be calculated, which shall not exceed fifty thousand dollars (\$50,000), and that amount will be deducted from the Cost submitted by all Local SBE Proposers who requested and were granted the Local SBE Preference.

Transitional Job Opportunities Preference: 8% of the lowest cost proposed will be calculated and that amount will be deducted from the Cost submitted by all Proposers who requested and were granted the Transitional Job Opportunities Preference.

3.6 Intentionally Omitted

3.7 Department's Proposed Contractor Selection Review

3.7.1 Departmental Debriefing Process

Upon completion of the evaluation, County shall notify the remaining Proposers in writing that County is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may

submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in County's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although County may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, County will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify County of its intent to request a Proposed Contractor Selection Review (see Sub-section 3.7.2 below), if the requesting Proposer is not satisfied with the results of the Debriefing.

3.7.2 Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Section may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by County.

A request for a Proposed Contractor Selection Review may, in County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by County);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - a. The Department materially failed to follow procedures specified in its solicitation document. This includes:
 - i. Failure to correctly apply the standards for reviewing the proposal format requirements.
 - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
 - iii. Use of evaluation criteria that were different from the

evaluation criteria disclosed in the solicitation document.

- b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
 - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
 - d. Another basis for review as provided by state or federal law; and
4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for County's alleged failure, the Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, County representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a County Independent Review. (see Section 3.8 below)

3.8 County Independent Review Process

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by County in County's written decision regarding the Proposed Contractor Selection Review.

A request for County Independent Review may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 1. The person or entity requesting a County Independent Review is a Proposer;
- 2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by County); and
- 3. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from County's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Sub-section 3.7.2 above.